IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

RFA.No. 588 of 2006()

OS.189/1998 of PRINCIPAL SUB COURT,KOLLAM
.....

: APPELLANT/PLAINTIFF

NEELAKANDAN REGHUNATHAN,
PRATHIBHA BHAVAN, ASRAMATHU CHERRY,
KOLLAM EAST VILLAGE.

BY ADV. SRI.RAJA VIJAYARAGHAVAN.
SRI.M.T.SURESHKUMAR

RESPONDENTS: DEFENDANT 1 AND 2 AND ADDL. DEFENDANTS 3 TO 6
---

1. HAMEED MUHAMMED ILLIYAS, (DIED),
AHSAL DALE, EAST OF PANICKER KULAM,
MANAKATTU CHERRY, VADAKKEVILA CHERRI,
FROM SAINANCH MANZIL, ASRAMATHU CHERRI,
KOLLAM EAST VILLAGE.

2. NOORJAHAN, D/O. MUHAMMED ILLIYAS,
SANADANA MANZIL, VAZHAKOOTTATHIL,
VALATHUNGAL, VADAKKEVILA, FROM SAINANCH ANZIL,
ASRAMATHU CHERRI, KOLLAM EAST VILLAGE.

3. THAHA, S/O. LATE MUHAMMED ILLIYAS,
AHSAL DALE, NEAR PALLIMUKKU, VADAKKEVILA P.O.,
KOLLAM.

4. SULAIMAN, S/O. LATE MUHAMMED ILLIYAS,
AHSAL DALE, NEAR PALLIMUKKU, VADAKKEVILA P.O.,
KOLLAM.(DELETED)

5. GEEYASUDHEEN, S/O. LATE MUHAMMED
ILLIYAS, AHSAL DALE, NEAR PALLIMUKKU,
VADAKKEVILA P.O., KOLLAM.

6. SHAJAHAN, S/O. LATE MUHAMMED ILLIYAS,
AHSAL DALE, NEAR PALLIMUKKU, VADAKKEVILA P.O.,
KOLLAM.(DELETED)

RESPONDENTS 4 AND 6 ARE DELETED FROM THE PARY ARRAY AT THE RISK OF THE PETITIONER, AS PER ORDER DT. 6.6.2007 IN I.A.NO.1838/07)

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.M.SHAHEED AHMAD

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

R.F.A.No.588 of 2006

Dated 6th June, 2007.

J U D G M E N T

Kurian Joseph, J.

I.A.1838/07 : Allowed at the risk of the petitioner.

I.A.1837/07 : This is a petition to record the compromise of the disputes between the parties, which form subject matter of the appeal. The terms of the compromise are recorded.

In view of the compromise as recorded in I.A.1837/07, this appeal is disposed of as compromised between the parties. The said application will form part of the decree. One half of the court fee will be refunded to the appellant, since the appeal is compromised between the parties. It is made clear that on the plaintiff approaching the court below for return of the documents, in view of the compromise as recorded in the application, steps shall be taken to return the documents as referred to in the application, so as to hand over the same to the second respondent.

I.A.4732/06 : Dismissed.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

tgs

KURIAN JOSEPH &

T.R.RAMACHANDRAN NAIR, JJ

L.A.A. NO. OF 2004

J U D G M E N T

Dated 6th June, 2007.